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HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 8910
RESTON, VA 20195

EXAMINER

TRAN, PABLO N

ART UNIT

PAPER NUMBER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 25

Application Number: 08/909,001
Filing Date: August 08, 1997
Appellant(s): VERMEER, FULPS VINCENTINUS

Gary D. Yacura
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 11/25/02.

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(1) Real Party in Interest

A statement identifying the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) Status of Claims

The statement of the status of the claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Invention

The summary of invention contained in the brief is correct.

(6) Issues

The appellant's statement of the issues in the brief is correct.

(7) Grouping of Claims

Appellant's brief includes a statement that claims do not stand or fall together.

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

US 5,903,850	Huttunen et al.	May 11-1999
US 5,805,998	Kodama	Sep 08-1998
US 4,122,304	Mallien, II	Oct 24-1978

(10) New Prior Art

No new prior art has been applied in this examiner's answer.

(11) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

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1. Claims 1-2, 4-7, and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Huttunen et al.* (5,903,850) in view of *Kodama* (5,805,998) and further in view of *Mallien, II* (4,122,304).

As per claims 1-2, 4-7, and 9-11, *Huttunen et al.* disclose a wireless terminal comprising:

- an antenna (fig. 7/no. 2,32);
- a radio (fig. 7/no. 1,31);
- a cable (fig. 2/no. 6,8, fig. 4/no. 6,38) that is detachably connected to said radio and that is also connected to said antenna for carrying an RF signal (fig. 2/no. 9, fig. 4/no. 39) and for carrying a baseband signal (fig. 2/no. 10, col. 3/ln. 20-30) from said radio to said indications (col. 3/ln. 20-col. 6/ln. 12).

Huttunen et al. disclose data tx/rx and control signals (col. 5/ln. 50-59) but do not specifically disclose a first visual indicator that indicates to a user of said wireless terminal when a radio is receiving. *Kodama* disclose an indicator that indicates to a user of said terminal when a radio is receiving (fig. 3/no. 21E, col. 8/ln. 4-24). Therefore, it would have been obvious to one of ordinary skill in the art at the time to provide a receiving indicator of *Kodama* to the mobile phone of *Huttunen et al.* in order for the user to easily determine the status of the call at any given time

Huttunen et al. in view of *Kodama* disclose data tx/rx and control signals (col. 5/ln. 50-59) but do not specifically disclose a second visual indicator that indicates to a user of said wireless terminal when a radio is transmitting. *Mallien, II* discloses an indicator that indicates to a user of said terminal when a radio is transmitting (fig. 3B/no.

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120, col. 5/ln. 26-29). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a transmitting indicator of *Mallien, II* to the mobile phone of *Huttunen et al.* in view of *Kodama* in order for the user to easily determine the status of the call at any given time.

2. Claims 3 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Huttunen et al.* (5,903,850) in view of *Kodama* (5,805,998) and *Mallien, II* (4,122,304) and further in view of *Stein* (5,628,055).

As per claim 3 and 8, *Huttunen et al.* in view of *Kodama* and *Mallien, II* teaching lack said radio is integral to a PC radio card. *Stein* discloses said radio is integral to a PC radio card (fig. 10/no. 131). Therefore, it would have obvious to one of ordinary skill in the art at the time to provide a modular radio communications system as taught by *Stein* to the mobile phone of *Huttunen et al.* in view of *Kodama* and *Mallien, II*. in order to enable PC readily radio communicate with other networks,

(12) Response to argument

With respect to appellant's remarks filed October 08, 2002, the responses are as follows:

The appellant states, with regard to claims 1-4, "The prior art fails to disclose or suggest a wireless terminal including a first visual indicator that indicated to a user when a radio is transmitting and a signal lead for carrying a first baseband signal from the radio to the first visual indicator for activating the first visual indicator". *Huttunen et al.*

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(US patent 5,903,850) disclose a wireless terminal (see fig. 2-3/no. 1) comprises a signal lead (see fig. 2-3/no. 6) for carrying a baseband signal (i.e. audio signals, see col. 3/ln. 20-24) from the radio to the audio indication means (i.e. speakers/microphone, see col. 5/ln. 23-26). The radio unit, as disclosed in Huttunen, comprises an interface circuit (see fig. 2-3/no. 13, fig. 6) for controlling and identifying the mode of incoming (Rx) and outgoing (Tx) communication signals (i.e. audio signals) over the coaxial cable (see col. 5/ln. 49-col. 6/ln. 8) and to the audio indication means (see col. 6/ln. 22). It is clear that Huttunen disclosed a wireless terminal comprises a signal lead (coaxial cable) for carrying a baseband signal (audio signals) from the radio to the Tx/Rx audio indication means (speaker/microphone) to activate the indication means. Huttunen do not specifically discloses a visual Tx indication mean. Mallien (US patent 4,122,304) disclosed a visual Tx indicator (see fig. 3b/no. 120). Therefore, it would have been obvious to one of ordinary skill in the art to modify and provide a visual indicator in place of an audio indicator to easily notify the user the status of the communication when there is a high volume of surround noise.

The appellant states, with regard to claims 6-9, "The prior art fails to disclose or suggest a wireless terminal including a first visual indicator that indicated to a user when a radio is receiving and a signal lead for carrying a first baseband signal from the radio to the first visual indicator for activating the first visual indicator". Huttunen et al. (US patent 5,903,850) disclose a wireless terminal (see fig. 2-3/no. 1) comprises a signal lead (see fig. 2-3/no. 6) for carrying a baseband signal (i.e. audio signals, see col. 3/ln. 20-24) from the radio to the audio indication means (i.e. speakers/microphone, see col.

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5/ln. 23-26). The radio unit, as disclosed in Huttunen, comprises an interface circuit (see fig. 2-3/no. 13, fig. 6) for controlling and identifying the mode of incoming (Rx) and outgoing (Tx) communication signals (i.e. audio signals) over the coaxial cable (see col. 5/ln. 49-col. 6/ln. 8) and to the audio indication means (see col. 6/ln. 22). It is clear that Huttunen disclosed a wireless terminal comprises a signal lead (coaxial cable) for carrying a baseband signal (audio signals) from the radio to the Tx/Rx audio indication means (speaker/microphone) to activate the indication means. Huttunen do not specifically disclose a visual Rx indication mean. Kodama (US patent (5,805,998) disclosed a visual Rx indicator (see fig. 3/no. 21E). Therefore, it would have been obvious to one of ordinary skill in the art to modify and provide a visual indicator in place of an audio indicator to easily notify the user the status of the communication when there is a high volume of surround noise.

The appellant states, with regard to claims 5, 10, and 11, "The prior art fails to disclose or suggest a wireless terminal including a first visual indicator that indicates to a user when a radio is transmitting and a second visual indicator that indicates to a user when a radio is receiving". Huttunen disclosed a wireless terminal comprises a signal lead (coaxial cable) for carrying a baseband signal (audio signals) from the radio to the Tx/Rx audio indication means (speaker/microphone) to activate the indication means. Huttunen do not specifically disclose a visual Tx indication mean. Mallien (US patent 4,122,304) disclosed a visual Tx indicator (see fig. 3b/no. 120). Therefore, it would have been obvious to one of ordinary skill in the art to modify and provide a visual indicator in place of an audio indicator to easily notify the user the status of the communication

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when there is a high volume of surround noise. Furthermore, Huttunen in view of Mallien do not specifically disclose a visual Rx indication mean. Kodama (US patent (5,805,998) disclosed a visual Rx indicator (see fig. 3/no. 21E). Therefore, it would have been obvious to one of ordinary skill in the art to modify and provide an Rx visual indicator in place of an audio indicator to easily notify the user the status of the communication when there is a high volume of surround noise.

For the above reasons, it is believed that the rejections should be sustained.

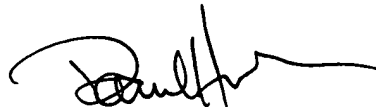
Respectfully submitted,

Harness, Dickey & Pierce, P.L.C.

P.O. Box 8910

Reston, VA 20195

Uefer
2/10/03
722000


DANIEL HUNTER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

PABLO N. TRAN
PATENT EXAMINER

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